Appl. No. 10/684,644
Preliminary Amendment dated January 8, 2004

Amendments to the Claims:

Please amend claims 1 and 2 as shown in the listing of claims that follows. This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A biologically active agent, wherein the agent is a compound of the formula:

wherein

n is 1 or 2;

m is 0 or 1;

q is 0 or 1;

t is 0 or 1;

R⁵ is alkyl having from 1 to 3 carbon atoms; and

R⁹ is hydrogen, halo, or alkoxy having from 1 to 3 carbon atoms; and
 X is -CH₂CR¹²R¹³- wherein one of R¹² and R¹³ is hydrogen or methyl and the other is methyl, Q is OR¹ and R¹ is hydrogen or alkyl having from 1 to 7

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carbon atoms; or X is -CH₂CH₂- and Q is NR¹⁰R¹¹ wherein one of R¹⁰ and R¹¹ is hydrogen, alkyl having from 1 to 3 carbon atoms or hydroxy, and the other is hydrogen or alkyl having from 1 to 3 carbon atoms; or

A is cyclealkyl having from 3 to 6 ring carbon atoms wherein the cyclealkyl is unsubstituted or one or two ring carbons are independently mono substituted by methyl or ethyl; and

R⁹ is halo, or alkoxy having from 1 to 3 carbon atoms; and

X is -CH₂-, Q is -OR¹ and R¹ is ethyl; or X is -CH₂CR¹²R¹³- or
CH₂CH(NHAc)-wherein each of R¹² and R¹³ is independently hydrogen or

methyl, Q is OR¹ and R¹ is hydrogen or alkyl having from 1 to 7 carbon

atoms; or X is -CH₂CH₂- and Q is NR¹⁰R¹¹ wherein one of R¹⁰ and R¹¹ is

hydrogen, alkyl having from 1 to 3 carbon atoms or hydroxy, and the other

is hydrogen or alkyl having from 1 to 3 carbon atoms; and

A is cycloalkyl having from 3 to 6 ring carbon atoms wherein the cycloalkyl is unsubstituted or one or two ring carbons are independently mono-substituted by methyl or ethyl;

or when R¹ is hydrogen, a pharmaceutically acceptable salt of the compound.

2. (Currently amended) The A biologically active agent of claim 1, wherein the agent is a compound of the formula:

wherein

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- is 1 or 2; n
- is 0 or 1; m
- is 0 or 1; q
- is 0 or 1; t
- R⁵ is alkyl having from 1 to 3 carbon atoms;
- is cycloalkyl having from 3 to 6 ring carbon atoms wherein the cycloalkyl is Α unsubstituted or one or two ring carbons are independently mono-substituted by methyl or ethyl; and
- is -CH₂- and R¹ is ethyl; or Xis -CH₂CH₂- or -CH₂CH(NHAc)- and R¹ is X hydrogen or alkyl having from 1 to 7 carbon atoms;

or when R¹ is hydrogen, a pharmaceutically acceptable salt of the compound.

- The agent of claim 2, wherein R¹ is hydrogen or ethyl. 3. (Original)
- 4. (Original) The agent of claim 2, wherein q is 0.
- 5. The agent of claim 2, wherein X is -CH₂CH₂-. (Original)
- б. The agent of claim 2, wherein the cycloalkyl is unsubstituted or (Original) one or both ring carbons adjacent to the ring carbon covalently bound to the remainder of the compound of formula I are independently mono-substituted by methyl or ethyl.

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- 7. (Original) The agent of claim 6, wherein A is unsubstituted cyclopropyl.
- 8. (Original) The agent of claim 2, wherein q is 1 and R⁵ is methyl.
- 9. (Original) The agent of claim 2, wherein the compound is 4-(3-((Cyclobutyl)-methoxy)phenyl)-4-oxobutyric acid.
- 10. (Original) The biologically active agent of claim 2, wherein the agent is a compound of the formula:

wherein

R¹ is hydrogen or alkyl having from 1 to 7 carbon atoms,

or when R1 is hydrogen, a pharmaceutically acceptable salt of the compound.

- 11. (Original) The agent of claim 10, wherein R¹ is hydrogen or ethyl.
- 12. (Original) The agent of claim 11, wherein the compound is 4-(4-((cyclopropyl)-methyoxy)phenyl)-4-oxobutyric acid.
- 13. (Original) The agent of claim 11, wherein the compound is 4-(3-((cyclopropyl)-methoxy)phenyl)-4-oxobutyric acid.